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**ATTORNEY FOR PLAINTIFF**  
**UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF MONTANA**  
**MISSOULA DIVISION**

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| <b>UNITED STATES OF AMERICA,</b><br><br><b>Plaintiff,</b><br><br><b>vs.</b><br><br><b>BRUCE BOONE WANN,</b><br><br><b>Defendant.</b> | <b>CR 18-54-M-DLC</b><br><br><b>UNITED STATES' RESPONSE TO</b><br><b>COURT ORDER</b> |
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The United States, by and through Tara J. Elliott, Assistant United States Attorney for the District of Montana, files this response to this Court's Order. Doc 61.

The United States respectfully requests that this Court deny Wann's motion as moot since the United States Attorney's Office has directed the FBI to return the firearms at issue in compliance with Wann's request; thus, Court intervention is not required. Additionally, the FBI and the United States Attorney's Office have consulted and are confident that similar requests in the future can be handled in the same way; that is, by consultation between the FBI, the defendant and his counsel, and the United States Attorney's Office.

With respect to the questions posed by the Court's order, as noted above, the release of firearms post-conviction does not require judicial intervention, provided the parties can ensure that the release of the evidence is lawful and the FBI is able to determine that any individual designated to receive firearms is able to do so lawfully. The FBI's procedure allows a defendant to release his interest in an item, including a firearm, and designate a person who will assume that interest. To ensure the safety and legality of the release of any item, including firearms, the FBI legal counsel agrees to consult with the United States Attorney's Office prior to any transfer.

Counsel for Wann was contacted and concurs that the motion is moot.

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DATED this 7th day of April, 2020.

KURT G. ALME  
United States Attorney

/s/ Tara J. Elliott  
Assistant U.S. Attorney  
Attorney for Plaintiff